

JOHNSON & PHAM, LLP
Christopher Q. Pham, SBN: 206697
E-mail: cpham@johnsonpham.com
Marcus F. Chaney, SBN: 245227
E-mail: mchaney@johnsonpham.com
6355 Topanga Canyon Boulevard, Suite 326
Woodland Hills, California 91367
Telephone: (818) 888-7540
Facsimile: (818) 888-7544

Attorneys for Plaintiff
CREE, INC.

OTTO O. LEE, CA Bar No. 173987
olee@iplg.com
KEVIN VIAU, CA Bar No. 275556
kviau@iplg.com
JENNY HONG-GONZALEZ, CA Bar No. 297039
jhonggonzalez@iplg.com
INTELLECTUAL PROPERTY LAW GROUP LLP
12 South First Street, 12th Floor
San Jose, CA 95113
Telephone: (408) 286-8933
Facsimile: (408) 286-8932

Attorneys for Defendants
MAXBRITE LED LIGHTING TECHNOLOGY, LLC
and KIM ANH LE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND COURTHOUSE

CREE, INC.,

Plaintiff,

v.

MAXBRITE LED LIGHTING
TECHNOLOGY, LLC, et al.,

Defendants.

Case No.: 4:16-cv-06689-YGR

**STIPULATION TO EXTEND TIME FOR
PLAINTIFF CREE, INC. TO RESPOND
TO COUNTERCLAIMS**

[Civil L.R. 6-1(b)]

Current response date: 2/9/2017

Stipulated response date: 2/15/2017

Honorable Judge Yvonne Gonzalez Rogers

Pursuant to Civil L.R. 6-1(b) and 6-2, Plaintiff Cree, Inc. ("Plaintiff"), through its counsel, and Defendants Maxbrite LED Lighting Technology, LLC and John Anh Le ("Defendants"), through their counsel (collectively, the "Parties"), do hereby stipulate and agree that Plaintiff shall have an extension of time to file a response to Defendants' Counterclaims up to and including February 15, 2017.

On January 19, 2017, Defendants filed an Answer & Counterclaims for Declaratory Judgment of Patent Non-Infringement and Declaratory Judgment of Patent Invalidity (ECF Dkt. 20). *See* Civil L.R. 6-2 Declaration of Marcus F. Chaney ("Chaney Decl.") at ¶2. Pursuant to Rule 12(a)(1)(B) of the Federal Rules of Civil Procedure, Plaintiff's due date to respond to the Counterclaims is February 9, 2017. *See* Chaney Decl.") at ¶3.

The Parties have actively engaged in a good faith meet and confer concerning Plaintiff's contemplated motions to dismiss and/or strike Defendants' Counterclaims under Rules 12(b)(6) and 12(f), and Defendants have agreed to file an Amended Answer & Counterclaims. *See* Chaney Decl.") at ¶4-5. By way of this stipulation, the Parties agree to continue Plaintiff's due date to respond to the Counterclaims in order to give Defendants' time to file an Amended Answer & Counterclaims no later than February 15, 2017 (as Ordered by the Court at the Initial Case Management Conference on February 6, 2017). *See* Chaney Decl.") at ¶7. Plaintiff consents to Defendants' filing of an Amended Answer & Counterclaims under Rule 15(a)(2). *See* Chaney Decl.") at ¶6. This extension will not alter the date of any event or any deadline already fixed by Court order. *See* Chaney Decl.") at ¶8.

DATED: February 9, 2017

JOHNSON & PHAM, LLP

By: /s/ Marcus F. Chaney

Marcus F. Chaney, Esq.

Attorneys for Plaintiff CREE, INC.

DATED: February 9, 2017

INTELLECTUAL PROPERTY LAW GROUP, LLP

By: /s/ Kevin Viau

Kevin Viau

Attorneys for Defendants MAXBRITE LED LIGHTING TECHNOLOGY, LLC and JOHN ANH LE